

STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
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**IN THE MATTER OF THE COMMISSION)
INVESTIGATION AND GENERIC PROCEEDING)
OF RATES AND UNBUNDLED NETWORK)
ELEMENTS AND COLLOCATION FOR INDIANA)
BELL TELEPHONE COMPANY, INCORPORATED)
d/b/a SBC INDIANA PURSUANT TO THE)
TELECOMMUNICATIONS ACT OF 1996 AND)
RELATED INDIANA STATUTES)**

CAUSE NO. 42393

FILED

AUG 04 2003

You are hereby notified that on this date the Indiana Utility Regulatory Commission ("Commission") makes the following entry in this Cause:

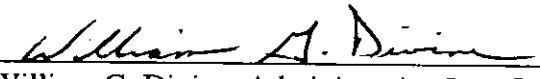
On August 1, 2003, the following competitive local exchange carrier ("CLEC") parties to this Cause: AT&T Communications of Indiana G.P., WorldCom, Inc., McLeodUSA Telecommunications Services, Inc., Covad Communications Company, Time Warner Telecom of Indiana, L.P., Z-Tel Communications, Inc., and Sage Telecom, Inc. (collectively "Joint CLECs") filed *Joint CLECs' Motion to Compel and Request for Expedited Decision* ("Motion"). The Motion seeks a ruling to compel Indiana Bell Telephone Company, Incorporated ("SBC Indiana") to produce information that the Joint CLECs have requested from SBC Indiana in the course of discovery in this Cause.

This Cause was initiated by a Commission Order dated March 12, 2003. At the Prehearing Conference conducted in this Cause on April 15, 2003, and memorialized in a Prehearing Conference Order issued April 23, 2003, the parties agreed to a seven (7) business day turn around for discovery requests. In an April 30, 2003 docket entry that established the scope of this proceeding, the Presiding Officers noted that a discovery dispute could adversely impact the expedited procedural schedule in this Cause, and the parties were advised to immediately bring any discovery dispute, that could not informally be resolved, to the attention of the Presiding Officers.

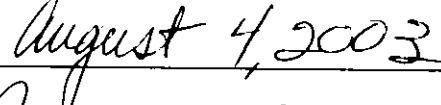
Pursuant to the Prehearing Conference Order, responses to the cost studies filed by SBC Indiana, and responses to any other prefiled direct testimony, are due August 15, 2003, just two weeks from when the Motion was filed. The Joint CLECs assert that it is this deadline that prompts their Motion. While it is reasonable that the parties would give each other some leeway to comply with discovery deadlines, it is of concern that a discovery dispute is just now being raised, given the assertion in the Motion that some discovery responses were due as much as six weeks ago. Of even more concern is the assertion that SBC Indiana is not providing, or is not providing complete, discovery responses.

SBC Indiana should file a response to the Motion on or before August 6, 2003. The Joint CLECs have requested that a telephonic hearing on the Motion be set no later than August 6, 2003. The Presiding Administrative Law Judge will decide whether to convene an attorneys' conference, pursuant to 170 IAC 1-1.1-16, following review of SBC Indiana's response to the Motion.

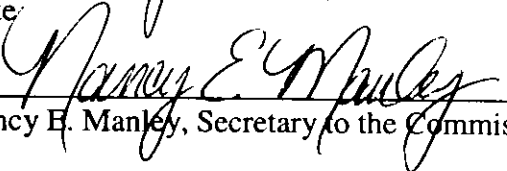
IT IS SO ORDERED.



William G. Divine, Administrative Law Judge



Date:



Nancy E. Manley, Secretary to the Commission